FORM PTO-1390 (Modified)
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
(REV 12-2004)

| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | ATTORNEY'S DOCKET NUMBER 065611-0119 |
|---|---|
| | U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) Unassigned 10/588718 |

| INTERNATIONAL APPLICATION NO. PCT/US2005/000174 | INTERNATIONAL FILING DATE 1/6/2005 | PRIORITY DATE CLAIMED 2/9/2004 |
|---|---|---|

TITLE OF INVENTION
NITRIC OXIDE-RELEASING POLYMERS

APPLICANT(S) FOR DO/EO/US
ARNOLD et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.

4. ☐ The US has been elected (Article 31).

5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))

    ☐ is attached hereto (required only if not communicated by the International Bureau).

    ☐ has been communicated by the International Bureau.

    ☒ is not required, as the application was filed in the United States Receiving Office (RO/US)

6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
    ☐ is attached hereto.
    ☐ has been previously submitted under 35 U.S.C. 154(d)(4).

7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    ☐ are attached hereto (required only if not transmitted by the International Bureau).
    ☐ have been communicated by the International Bureau.
    ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    ☒ have not been made and will not be made.

8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern other document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☒ A preliminary amendment.

14. ☒ An Application Data Sheet under 37 CFR 1.76.

15. ☐ A substitute specification.

16. ☐ A power of attorney and/or change of address letter.

17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825

18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).

19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

20. ☒ Other items or information: International Search Report

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| U.S. APPLICATION NO. Unassigned | INTERNATIONAL APPLICATION NO. PCT/US2005/000174 | ATTORNEY'S DOCKET NUMBER 065611-0119 |
|---|---|---|

The following fees have been submitted:

| | | | | | |
|---|---|---|---|---|---|
| 21. ☒ | Basic national fee | **$300** | $ | 300.00 | |

22. ☒ Examination fee

If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) $100
All other situations $200

| | | | |
|---|---|---|---|
| | | '$ | 200.00 |

23. ☒ Search fee

Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority $100

International Search Report prepared and provided to the Office $400

All other situations $500

| | |
|---|---|
| $ | 100.00 |

| | | |
|---|---|---|
| **TOTAL OF ABOVE 21, 22 and 23 =** | $ | 600.00 |

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is $ for each additional 50 sheets of paper or fraction thereof.

| Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
|---|---|---|---|---|---|
| 57 - 100 = | 0 /50 = | 0 | x $250.00 | $ | 0.00 |

| | | |
|---|---|---|
| Surcharge of $130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)) | $ | 130.00 |

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
|---|---|---|---|---|---|
| | | | | $ | |
| Total Claims | 52 - 20 = | 32 | x $ 50.00 | $ | 1600.00 |
| Independent Claims | 12 - 3 = | 9 | x $ 200.00 | $ | 1800.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + $ 360.00 | $ | |

| | | |
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| **TOTAL OF ABOVE CALCULATIONS =** | $ | 4130.00 |

| | | | |
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| ☒ | Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½. | + $ | 2065.00 |

| | | |
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| **SUBTOTAL =** | $ | 2065.00 |

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| Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | $ |

| | | |
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| **TOTAL NATIONAL FEE =** | $ | 2065.00 |

| | |
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| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property | $ |

| | | |
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| **TOTAL FEES ENCLOSED =** | $ | 2065.00 |

| | Amount to be refunded: | |
|---|---|---|
| | charged: | |

a. ☐ A check in the amount of 0.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 19-0741 in the amount of 0.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0741. A duplicate copy of this sheet is enclosed.

d. ☒ Fees are to be charge to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Foley & Lardner LLP
Customer Number: 22428

SIGNATURE

**Richard C. Peet**
NAME
**35,792**
REGISTRATION NUMBER